

FORTY-FOURTH DAY

(Wednesday, April 2, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Grover.

Reports of Standing Committees

Senator Herring submitted the following reports:

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 518, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute

adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 518 was read the first time.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 200, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 654, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 398, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 194, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B.

No. 460, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 516, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 458, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 417, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 405, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B.

No. 268, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Bates submitted the following report:

Austin, Texas,
April 1, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Transportation, to which was referred H. B. No. 217, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

BATES, Chairman.

Senator Hall submitted the following report:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 729, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman
BROOKS
HERRING
CHRISTIE
WORD
HARRINGTON

Senator Creighton submitted the following reports:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 700, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was re-

ferred S. B. No. 699, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 696, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 695, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 694, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 702, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 77, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

AIKIN, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 100, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

AIKIN, Chairman.

Senator Blanchard submitted the following reports:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 348, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 503, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

BLANCHARD, Chairman.

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 373, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

BLANCHARD, Chairman.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 56, In memory of Dwight David Eisenhower.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 338, A bill to be entitled "An Act amending Article 2823, Revised Civil Statutes of 1925, to define 'scholastic population' as used herein for purposes of apportionment and distribution of the State available school fund on the basis of average daily attendance determined for the immediately next preceding school year; etc., and declaring an emergency."

H. B. No. 139, A bill to be entitled "An Act authorizing the Board of Directors of Texas A&M University to sell certain State-owned land located in Kleberg County, Texas; etc.; and declaring an emergency."

Senate Bill 700 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 700 was ordered not printed.

Senate Bill 699 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 699 was ordered not printed.

Senate Bill 696 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 696 was ordered not printed.

Senate Bill 695 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 695 was ordered not printed.

Senate Bill 694 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 694 was ordered not printed.

Senate Bill 702 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 702 was ordered not printed.

House Bill 729 Ordered Not Printed

On motion of Senator Cole and by unanimous consent H. B. No. 729 was ordered not printed.

Report of Committee to Select Poet Laureate of State

Senator Herring submitted the following report:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Committee appointed pursuant to Senate Concurrent Resolution No. 5 to select a Poet Laureate for the State of Texas, have selected Mrs. James P. Marley of Austin to be Poet Laureate of the State of Texas, to serve from April 1, 1969 to April 1, 1970, and Mrs. Robby Koons Mitchell of McKinney to be Poet Laureate of the State of Texas, to serve from April 1, 1970 to April 1, 1971.

The Committee selected Mrs. Rose Speer of Brady as alternate Poet Laureate during the period April 1, 1969 to April 1, 1970, and Mrs. Faye Carr Adams of Dallas as alternate Poet Laureate during the period April 1, 1970 to April 1, 1971.

Respectfully submitted,

HERRING
HARRINGTON

On the part of the
Senate.

CAVNESS
HAWKINS

On the part of the
House.

HALL

On the part of the
Governor.

The report was read and was adopted.

Senate Resolution 431

Senator Creighton offered the following resolution:

Whereas, The Senate is honored today by the presence of Jim Gray, and Whereas, Jim Gray is visiting to learn first hand the workings of State government, and

Whereas, The Senate could utilize the services of Jim Gray to expedite the law making process; now, therefore, be it

Resolved, That Jim Gray be, and he is hereby designated as an honorary page of the Senate for today, and that he be extended the official welcome of the Senate.

CREIGHTON
HALL

The resolution was read and was adopted.

Senate Resolution 433

Senator Hazlewood offered the following resolution:

Whereas, The Senate of Texas is highly honored today with the presence of a most distinguished statesman from Amarillo, Texas, the Honorable Marvin Jones, who is one of only six men in the United States who has ever served in an official capacity in all three branches of the United States Government; and

Whereas, The Honorable Marvin Jones was elected to Congress in the general election of the year 1916, and took office as one of the youngest members ever elected to Congress, in March, 1917, at the age of twenty-nine years; and

Whereas, The Honorable Marvin Jones was elected from a Congressional District which was one of the largest in Texas, being composed of fifty-three counties, which included the Amarillo and Wichita Falls Congressional Districts and most of the Lubbock District, representing an area twenty per cent larger than the State of Ohio, including Cooke and Denton Counties, and from there to the New Mexico line; and

Whereas, The Honorable Marvin Jones served with great distinction for twenty-four years in the United States Congress, having served as Chairman of the United States Department of Agriculture from 1931 to 1941, having rendered such an outstanding service to his State and the nation; and

Whereas, The then Congressman Jones was appointed in the year 1941 as Presiding Judge and Chairman of the United States Court of Claims and was later asked by President Franklin D. Roosevelt to take a leave of absence in order to serve this nation as United States War Food Administrator, and after a most distinguished and outstanding service in this capacity, for which all the people of our nation are duly grateful, because it was partially due to his magnificent efforts in the capacity in which he served that our war against Germany-Japan and the other warring nations who opposed us was successfully terminated; and

Whereas, The Honorable Marvin Jones, after his service as United States War Food Administrator, returned to his official position as Chief Justice of the United States Court of Claims, where he is still active, doing special work, being presently in Austin on official business for said Court; now, therefore, be it

Resolved by the Senate of Texas, That the Honorable Marvin Jones be extended a most cordial welcome to the Senate of Texas on this day and that he be asked to appear before the Senate and make a few remarks upon any subject of his choice; and be it further

Resolved, That the Senate of the State of Texas extend its congratulations to the Honorable Marvin Jones for services rendered not only to the State of Texas, but the entire nation, and direct that copies of this Resolution under the Seal of the Senate be sent to him; and that when the Senate adjourns today, it do so in honor of the Honorable Marvin Jones; and be it further

Resolved, That a page in today's Senate Journal be devoted to this expression of the Senate's admiration.

The resolution was read and was adopted.

The President announced the appointment of the following as a Committee to escort The Honorable Marvin Jones to the President's Rostrum: Senators Blanchard, Creighton, Hightower and Hazlewood.

The President presented Senator Hazlewood and he presented Mr. Jones to the Senate.

Mr. Jones addressed the Senate stating that "it is a great privilege to address the Senate of Texas as

it is the greatest State in the Union." At the conclusion of his address, he thanked the Members for the honor of addressing them and for the courtesy extended to him.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 7, Proposing an Amendment to Article III, Constitution of the State of Texas by adding a new section which would remove constitutional limitations on rates of interest to be borne by bonds issued pursuant to constitutional authority.

H. B. No. 378, A bill to be entitled "An Act authorizing the State Highway Commission to insure officers and employees from liability arising out of use, operation and maintenance of equipment; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 437

Senator Herring offered the following resolution:

Whereas, The Senate is honored today by the presence of two fine young men who exemplify the qualities of ability, enthusiasm and alertness found in their grandfather, our distinguished colleague, Senator D. Roy Harrington; and

Whereas, These two energetic boys, Brett Hathaway, the six-year-old son of Karol and Henry Hathaway, and Dougie Harrington, the four-year-old son of Doug and Helen Harrington, are visiting the Senate to learn firsthand the workings of state government; and

Whereas, Since the Senator from Jefferson is a believer in on-the-job training and since the Senate could very well utilize the services of these willing workers; now, therefore, be it

Resolved, by the Senate of the 61st Legislature, That Dougie Harrington and Brett Hathaway be and are hereby designated as Honorary Pages for

today and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Harrington presented his grandsons to the Members of the Senate.

Senate Concurrent Resolution 58

Senator Watson offered the following resolution:

S. C. R. No. 58, Directing Senate Enrolling and Engrossing Clerk to make certain corrections in S. B. No. 188.

Whereas, S. B. No. 188 has been passed by both the Senate and House and is now in the Senate Enrolling Room; and

Whereas, A correction needs to be made in the bill; now, therefore, be it Resolved, by the Senate, the House of Representatives concurring, That the Enrolling Clerk of the Senate be and is hereby directed to correct S. B. No. 188, Section 3, line 4, by changing the word "biannually" to "biennially."

The resolution was read.

On motion of Senator Watson, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 59

Senator Blanchard offered the following resolution:

S. C. R. No. 59, Extending appreciation to Girlstown, U.S.A., for their humane service to mankind.

Whereas, Girlstown, U.S.A., located near Whiteface in Cochran County, Texas, completed twenty years of continuous operation on March 13, 1969; and

Whereas, Girlstown, U.S.A. is fully accredited and licensed as a non-profit charitable institution caring for girls from pre-school age through high school age; and

Whereas, Girlstown, U.S.A., has provided a home, supervision, wholesome training and an "apron string to hold on to" for deserving girls from all parts of Texas and the United States; and

Whereas, Girlstown, U.S.A. has cared for hundreds of girls who were without adequate or suitable homes during the past twenty years, the

great majority of whom have grown up to be productive and useful citizens; and

Whereas, Girlstown, U.S.A., has proven through its highly successful program that something can be done to keep neglected girls from becoming juvenile delinquents and subsequently criminals; now, therefore, be it

Resolved by the Senate of the 61st Legislature, the House of Representatives concurring, That Girlstown, U.S.A. and its executive director, Marshall W. Cooper, his staff and his Board of Directors be congratulated for this distinguished service to Texas and the Nation; and, be it further

Resolved, That a copy of the Resolution be prepared and presented to Girlstown, U.S.A., in token of the appreciation of the Texas Legislature and all the people of Texas for this humane service to mankind.

The resolution was read.

On motion of Senator Blanchard, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 438

Senator Herring offered the following resolution:

Whereas, Sunday, April 6, 1969, will mark the fiftieth wedding anniversary of Mr. and Mrs. Allen Harrell, Sr., of Austin; and

Whereas, Allen Harrell and Ellonia Shepard were married in Elgin, Texas, on April 6, 1919 and lived in Elgin until moving to Austin in 1945 in order to allow their children better opportunities to further their education; and

Whereas, Mr. and Mrs. Harrell have two surviving children, Charlesetta Harrell, and Allen Harrell, Jr., both of Austin; a second son, Willie Gene Harrell, lost his life March 22, 1955 while returning from active duty with the military in Korea; and

Whereas, Allen Harrell, Sr., after retiring from the city of Austin, became an employee of the Senate in 1965 and has been employed during each regular and special session since that time; and

Whereas, The Senate wishes to recognize and congratulate this couple; now, therefore, be it

Resolved, That the Senate of Texas of the 61st Legislature extend its

sincere congratulations to Mr. and Mrs. Allen Harrell, Sr. of Austin on their fiftieth wedding anniversary; now be it further

Resolved, That copies of this Resolution be prepared for Mr. and Mrs. Harrell to commemorate this important day in their lives.

HERRING

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Blanchard, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring the resolution was then adopted.

By unanimous consent, Senator Herring presented Mr. Allen Harrell, Sr. to the Members of the Senate.

Senate Bill 720 on First Reading

Senator Bates moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Bates:

S. B. No. 720, A bill to be entitled "An Act to amend the following Articles of the Code of Criminal Procedure, 1965, as amended; namely, Article 11.07, relating to writs of habeas corpus; Article 15.17, defining duties of arresting officer and magistrate; Section 2 of Article 17.11, relating to bail bonds; Article 26.04, relating to court appointment of counsel; Section 1 of Article 26.05, relating to compensation of court appointed counsel; Article 36.14, relating to the charge of the court; Article 36.15, relating to special requested charges, by adding a new paragraph; Subsections (b) and (c) of Article 44.08, relating to notice of appeal; Article 44.16, relating to the time for giving appeal bond; Article 45.07, relating to the collection of costs; Article 45.23, relating to trial of causes; Article 45.42, relating to verdicts; Article 45.45, relating to motions for new trial; Article 45.49, relating to judgments in open court; Article 45.50, relating to judgments; Article 46.02, relating to insanity in defense or in bar, by amending Section 3 (a) and by adding new Subsection 3 (c); providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 721 on First Reading

Senator Hightower moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Bridges	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Snelson

Strong	Wilson
Watson	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hightower:

S. B. No. 721, A bill to be entitled "An Act relating to salaries of members of the legislature; making the act contingent upon the adoption of a constitutional amendment; and declaring an emergency."

To the Committee on Finance.

Senate Bill 722 on First Reading

Senator McKool moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators McKool, Harris and Hall:

S. B. No. 722, A bill to be entitled "An Act creating three additional District Courts and two additional Criminal District Courts in Dallas County, Texas, such Courts to be known as the 233rd Judicial District, the 234th Judicial District, the 235th Judicial District, the Criminal Judicial District Number 6, and the Crim-

inal Judicial District Number 7 of Dallas County, Texas, each of such districts to be composed of Dallas County, Texas, alone; providing the term and jurisdiction of said courts; providing for the appointment of district judges for said courts; prescribing powers, duties, terms of office and compensation of the judges of said courts; providing for the appointment of official court reporters of said courts; prescribing the qualifications, duties and compensation of the official court reporters of said courts; providing for the appointment, designation and compensation of other officers of said courts; providing all process, writs, recognizances and bonds heretofore issued, made, executed or returnable to existing terms of District Courts of Dallas County, Texas, are valid and returnable to the first terms of the District Courts provided herein, as assigned to the respective Courts after this Act takes effect; making other provisions relative to the business and functioning of the Judicial District Courts of Dallas County, Texas; providing a severability clause; and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

Senate Bill 723 on First Reading

Senator Aikin moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Aikin:

S. B. No. 723, A bill to be entitled "An Act authorizing the Teacher Retirement System to photograph, microphotograph or film certain of its records; authorizing the destruction of original records; providing that such photographs, microphotographs or films shall be deemed original records for all purposes; authorizing the Executive Secretary or his designated representative to certify to the authenticity of any photograph, microphotograph or film herein authorized and to make such charges therefor as may be authorized by law; providing a savings clause; and declaring an emergency."

To the Committee on Education.

Senate Bills on First Reading

The following local bills were introduced, read first time and referred to the Committee indicated:

By Senators McKool, Harris, Mauzy and Hall:

S. B. No. 724, A bill to be entitled "An Act providing for a Juvenile Court in and for Dallas County to be known as Juvenile Court No. 2 of Dallas County; setting the qualifications of the judge; setting the salary of the judge; providing for appointment, term of office, vacancies, disqualification; setting jurisdiction of said court; providing for a transfer of cases; making it a court of record, and providing for keeping of dockets; providing for duties of Probation Department, sheriff and constables for said court; setting the terms of the court; providing for judge of said court to be a member of the Juvenile Board; providing for a court reporter, bailiff and clerk; providing for services of a sheriff; providing for appeal from said court; providing that practice and procedure shall be same as any other district courts; providing a severance clause; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator McKool:

S. B. No. 725, A bill to be entitled "An Act validating all governmental acts of the Board of Directors of Dallas County Flood Control District

and of the Board of Supervisors of City and County of Dallas Levee Improvement District and of the Board of Supervisors of Dallas County Levee Improvement District No. 5; specifically validating the contract executed by Dallas County Flood Control District, City and County of Dallas Levee Improvement District and Dallas County Levee Improvement District No. 5, transferring to the City of Dallas, Texas, and to the City of Irving, Texas, all properties, lands, easements, pumping plants, floodways, equipment and all other assets belonging to each of said Districts and the assumption by the said cities of the obligations of said districts as provided in said contract; validating the dissolution of City and County of Dallas Levee Improvement District and Dallas County Levee Improvement District No. 5; providing for the payment to the City of Dallas, Texas by the tax collector of Dallas County, Texas of all delinquent state ad valorem taxes collected and donated to Dallas County Flood Control District under the provisions of Acts of the 49th Legislature, Chapter 355, Page 619 (1945); validating the assumption by the City of Dallas and of the City of Irving of the outstanding obligations of the Districts; providing a severability clause; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

Senate Bill 726 on First Reading

Senator Blanchard moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Harris
Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Bridges	Kennard
Brooks	Mauzy
Christie	McKool
Cole	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Snelson

Strong
Watson

Wilson
Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Blanchard:

S. B. No. 726, A bill to be entitled "An Act amending Section 2, Article 46.02, Code of Criminal Procedure, 1965, as amended, by adding Subsections (i) and (j), relating to preservation of testimony and evidence and to payment for transcripts and statements of fact; and declaring an emergency."

To the Committee on Jurisprudence.

House Bill and Resolutions on First Reading

The following bill and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. C. R. No. 74, To Committee on County, District and Urban Affairs.

H. B. No. 378, To Committee on Insurance.

H. J. R. No. 7, To Committee on Constitutional Amendments.

Motion to Reconsider Vote by Which Senate Concurred in House Amendments to Senate Bill 165

Senator Grover called from the Senate Journal the motion to reconsider the vote by which the Senate concurred in House amendments to S. B. No. 165. (The motion to spread on the Journal having been made on Monday, March 31, 1969.)

The motion to reconsider the vote by which the Senate concurred in House amendments was lost by the following vote:

Yeas—2

Grover

Harris

Nays—27

Aikin
Bates
Bernal

Berry
Bridges
Brooks

Christie	McKool
Cole	Moore
Creighton	Patman
Hall	Ratliff
Harrington	Schwartz
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Kennard	Word
Mauzy	

Absent

Blanchard

Absent—Excused

Connally

Reports of Standing Committee

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 442, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman
WORD

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 298, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman
WORD

Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 545, have had the same under consideration, and we are instructed to report

it back to the Senate with the recommendation that it do pass as amended, and be printed.

HALL, Chairman
WORD

House Bill 117 Set for Special Order

On motion of Senator Mauzy, and by unanimous consent, H. B. No. 117 was set for Special Order at 10:30 o'clock a.m. on Wednesday, April 9, 1969.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 159. House Conferees: Hawkins, Willis, Dickson, Cavness, Shannon (Joe).

The House refused to concur in Senate amendments to H. J. R. No. 9 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House conferees: Clayton, Murray, Allen of Gregg, Finck and Swanson.

S. C. R. No. 57, Observance of Good Friday.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 137 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 137, A bill to be entitled "An Act changing the name of James Connally Technical Institute of Texas A&M University to the Manpower Resources System; creating the Board of Regents of the Manpower Resources System to govern and control the system and prescribing the board's powers and duties; providing for transfer of funds; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend House Bill No. 137 by striking out all of Section 9 and substituting in lieu thereof the following, to-wit:

Sec. 9. The Texas State Technical Institute shall be located on only three (3) campuses in McLennan, Cameron and Potter Counties.

(a) The main campuses of the Texas State Technical Institute System shall be located at Waco, McLennan County, Texas;

(b) The Board may accept or acquire by purchase in the name of the State of Texas land and facilities in Cameron County and Potter County, Texas, subject to the approval of the Governor;

(c) All other campus locations to be operated by the Texas State Technical Institute System shall require legislative approval, except as provided for herein.

The amendment was read and was adopted.

Senator Patman offered the following amendment to the bill:

Amend House Bill No. 137 by deleting the present Section 7 and adding a new Section 7 to read as follows, to wit:

Sec. 7. The role and scope of the Texas State Technical Institute shall be to:

(a) Provide occupationally oriented programs in highly technical and vocational areas to include field or laboratory work and remedial or related academic and technical instruction related thereto. Particular emphasis will be on industrial and technological manpower needs of the State. Technical and vocational programs shall be subject to the approval of the State Board of Vocational Education; and related academic instruction shall be subject to the approval of the Coordinating Board, Texas College and University System;

(1) Before any program may be offered by the Texas State Technical Institute within the district of a public junior college that is operating a vocational and technical program, it must be established that the public

junior college is not capable of or unable to offer the program. After the need is established and the program is not locally available, then the Texas State Technical Institute may offer said program when approval is granted as set forth herein;

(2) Such approval as set forth in Subsection 1 above of this Section shall not apply to McLennan, Cameron and Potter Counties;

(3) Where there is a county, or a portion of said county, in this State that is not in a operating public junior college district, then the Institute may, if requested by the local government and with the approval of the Board of Vocational Education, offer the programs so approved as set forth herein;

(b) Provide training programs for technical teachers, counselors, and supervisors which shall be subject to prior and continuing approval of the State Board of Vocational Education;

(c) Conduct manpower development and utilization research programs for identification of training and retraining needs and projections, and for curriculum development, either individually or in cooperation with other public and private institutions.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H. B. No. 137 by striking out Section 7 of the printed bill, and substituting therefor the following:

"Section 7.

In those geographical areas where comprehensive community colleges have been established and said colleges are offering vocational and technical programs in response to state and/or local needs, funds equivalent to those allocated to the Texas State Technical Institute will be set aside to initiate, develop, and/or support such programs in the community colleges."

The amendment was read.

Senator Bates raised the Point of Order that the amendment was not germane to the caption of the bill.

The President sustained the Point of Order.

Question—Shall H. B. No. 137 be passed to third reading.

Conference Committee on House Joint Resolution 9

Senator Creighton called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. J. R. No. 9 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. J. R. No. 9: Senators Creighton, Hazlewood, Christie, Cole and Watson.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 174, A bill to be entitled "An Act relating to expenses to be paid to members of the State Board of Registration for Public Surveyors; amending Section 5, Chapter 328, Acts of the 54th Legislature, Regular Session, 1955, as amended; and declaring an emergency."

S. B. No. 267, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey fee simple title to the surface estate in certain state-owned land held for the use of the State Department of Corrections to certain parties in exchange for certain other land of equal acreage; and declaring an emergency."

S. B. No. 380, A bill to be entitled "An Act authorizing the commissioners court of certain counties to issue negotiable certificates of indebtedness, for and on behalf of the county, for the purpose of acquiring, purchasing, constructing, repairing, renovating, improving and/or equipping crime detection facilities, and acquiring any real or personal property in connection therewith; etc.; and declaring an emergency."

H. C. R. No. 76, Memorial resolution for former President Dwight David Eisenhower.

H. C. R. No. 77, Granting both Houses of the Legislature permission to adjourn from Wednesday, April 2, 1969, to Tuesday, April 8, 1969.

H. B. No. 124, A bill to be entitled "An Act relating to hunting quail in Grayson and Collin Counties; and declaring an emergency."

H. B. No. 234, A bill to be entitled "An Act relating to the Court of Domestic Relations for Taylor County, Texas; amending Sections 7 and 16 of, and adding a new Section 5a to Chapter 44, Acts of the 58th Legislature, 1963 (Article 2338-17, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 600, A bill to be entitled "An Act amending Chapter 5, Acts of the 46th Legislature, 1939, page 613, Section 1, as amended by Chapter 30, Acts of the 58th Legislature, 1963, page 45, Section 1 (codified as Article 6686(b), as amended, Vernon's Texas Civil Statutes), so as more specifically to include within the scope thereof other vehicles, including house trailers, trailers and semitrailers; repealing all laws in conflict herewith; and declaring an emergency."

(President Pro Tempore in the Chair.)

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 150, A bill to be entitled "An Act to promote the health, safety, and welfare of the people by regulating the business of transporting, processing, or disposing of rendering raw material, and the bodies of dead animals, poultry, or any parts thereof, by burying, burning, cooking, or processing; to provide penalties for violations; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 60

Senator Christie offered the following resolution:

S. C. R. No. 60, Authorizing Senate Enrolling and Engrossing Clerk

to make certain corrections in S. B. No. 153.

Whereas, Senate Bill No. 153 has passed both Houses of the Legislature and is now in the Senate Enrolling Room; and

Whereas, Certain minor, non-substantive corrections need to be made in this bill; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Senate Enrolling Clerk is authorized to remove the comma after the word "dwelling" in Sec. 2a, changing "construction" to "constructed" in Sec. 2a, changing in Sec. 4 the sentence beginning with the word "Seals" to read as follows: "Seals may be issued upon application to which is attached an affidavit certifying that any mobile home bearing a seal will be built in compliance with the code as set out in Section 3." and amending the caption to conform.

The resolution was read.

On motion of Senator Christie, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 727 on First Reading

Senator Patman moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Patman:

S. B. No. 727, A bill to be entitled "An Act relating to the issuance of certain bonds by cities having a population of 5,000 or more; amending Section 1, Chapter 341, Acts of the 57th Legislature, Regular Session, 1961 (Article 1187f, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on County, District and Urban Affairs.

(Senator Christie in the Chair.)

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 182, A bill to be entitled "An Act amending Title 102 of the Revised Civil Statutes of Texas by adding thereto a new article to be designated Article 6053-1 to authorize the Railroad Commission of Texas, to prescribe or adopt safety standards for the transportation of gas and all gas pipeline facilities which are not subject to exclusive federal control; etc.; and declaring an emergency."

S. B. No. 233, A bill to be entitled "An Act relating to the authorization of policemen of a city, town, or village to perform duties in another city, town, or village, upon request, in an emergency, and to their authority and rights; and declaring an emergency."

S. B. No. 158, A bill to be entitled "An Act to provide that the Commissioner of the General Land Office, on behalf of the State of Texas or any fund belonging thereto, is authorized to execute agreements that provide for the operation of areas as a unit for the exploration, development and production of sulphur; etc.; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives
(President Pro Tempore in the Chair.)

House Bill 137 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 137 on its second reading and passage to third reading.

Question—Shall H. B. No. 137 be passed to third reading?

Welcome and Congratulatory Resolutions

S. R. No. 428—By Senator McKool: Extending congratulations to Benita Fields on her selection to perform in a Dallas Junior Players Guild production.

S. R. No. 429—By Senator McKool: Extending congratulations to Richard Carrizales on his selection to perform in a Dallas Junior Players Guild production.

S. R. No. 430—By Senator McKool: Extending congratulations to Janet Bonney for being an outstanding student.

S. R. No. 432—By Senator Aikin: Extending welcome and privileges of the floor for the day to Miss Vatra Solomon.

S. R. No. 434—By Senator Herring: Extending welcome to Mrs. Bruce Lane and daughter, Tracy.

S. R. No. 435—By Senator Bridges: Extending welcome to Texas History students of Coggin Memorial School of Corpus Christi.

S. R. No. 436—By Senator Herring: Extending welcome to sponsor and students of eighth grade class of Lockhart Junior High School.

S. R. No. 439—By Senators Hall and Creighton: Extending welcome to Miss Jan Gray of Denton.

S. R. No. 440—By Senators Hall and Creighton: Extending welcome to Miss Jill Gray of Denton.

Adjournment

(President in the Chair.)

Pending discussion by Senator Strong of the bill, Senator Aikin moved the Senate stand adjourned until Tuesday, April 8, 1969, at 11:00 o'clock a.m.

The motion prevailed.

Accordingly, the Senate at 12:18 o'clock a.m. on Tuesday, April 8, o'clock p.m. adjourned until 11:00 1969.

APPENDIX**Sent to Governor**

April 2, 1969

S. B. No. 174

S. B. No. 267

S. B. No. 380

FORTY-FIFTH DAY

(Tuesday, April 8, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 2, was dispensed with, and the Journal was approved.

(Senator Brooks in the Chair.)

Leave of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Message From the House

Hall of the House of Representatives

Austin, Texas.

April 8, 1969.

Hon. Ben Barnes, President of the Senate.